

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

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KING, Judge:

The Honorable John Acosta, United States Magistrate Judge, filed Findings and Recommendation on April 13, 2009. Plaintiff filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Acosta.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Acosta dated April 13, 2009 in its entirety.

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IT IS HEREBY ORDERED that Defendants' Motion to Dismiss or Transfer for Improper Venue (#15) is GRANTED. The action will be transferred to the District of Delaware.

DATED this 5th day of June, 2009.

/s/ Garr M. King

GARR M. KING
United States District Judge